

FORM PTO-1390
REV. 5-93US DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEYS DOCKET NUMBER

P05,0256

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/542647INTERNATIONAL APPLICATION NO.
PCT/EP2004/001114INTERNATIONAL FILING DATE
06 February 2004PRIORITY DATE CLAIMED
06 February 2003

TITLE OF INVENTION:

"METHOD AND DEVICE FOR CONTROLLING THE TIME AT WHICH THE TONER CONCENTRATION IS MEASURED IN A DEVELOPER MIXTURE CONTAINING TONER AND CARRIERS, AND CORRESPONDING PRINTER OR COPIER"

APPLICANT(S) FOR DO/EO/US

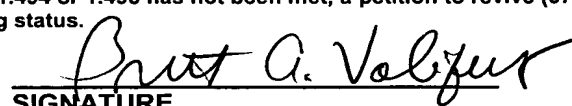
Stefan FRANZL, Florian KÖFFERLEIN, Stefan KRIEGER, Peter MÖSTL and Alfred ZOLLNER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay.
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). **Unexecuted**
10. ☒ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98; (**PTO 1449, Prior Art, Search Report**).
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☒ A substitute specification. **Marked up version of Substitute Specification**
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
 - a. ☐ **Substitute Pages – Three Sheets of Drawings**
 - b. ☐ **EXPRESS MAIL #EV 635785756 US Mailed July 15, 2005.**
 - c. ☐

U. S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) 10/542647		INTERNATIONAL APPLICATION NO. PCT/EP2004/001114		ATTORNEY'S DOCKET NUMBER P05,0256	
17. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5): (Search Report has been prepared by the EPO or JPO) \$1000.00 (Includes National Stage, Search, and Examination Fees) <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>				CALCULATIONS	PTO USE ONLY
				\$1000.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).					
Claims	Number Filed	Number Extra	Rate		
Total Claims	31-20 =	11	X \$50.00	\$550.00	
Independent Claims	4-3 =	1	X \$200.00	\$200.00	
Multiple Dependent Claims			\$300.00 +		
TOTAL OF ABOVE CALCULATIONS =				\$1750.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 C.F.R. 1.9, 1.27, 1.28)					
SUBTOTAL =				\$1750.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$00
TOTAL NATIONAL FEE =				\$1750.00	
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property				+	
TOTAL FEES ENCLOSED =				\$1750.00	
				Amount to be refunded	
				charged	
a. <input checked="" type="checkbox"/> A check in the amount of \$1750.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 501519 . A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Schiff Hardin LLP Patent Department 6600 Sears Tower Chicago, Illinois 60606-6473 Customer Number 26574			<div style="text-align: center;">  SIGNATURE Brett A. Valiquet NAME 27,841 Registration Number </div>		

CERTIFICATION OF MAILING

"Express Mail" Mailing Label Number **EV 635785756 US**

Date of Deposit: July 19, 2005

I hereby certify that this correspondence is being deposited with the United States Postal "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to: Commissioner for Patents, **MAIL STOP PCT**, P.O. Box 1450, Alexandria VA 22313-1450.

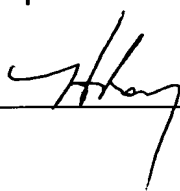
Stefan Franzl et al

Application entitled: **"METHOD AND DEVICE FOR CONTROLLING THE TIME AT WHICH THE TONER CONCENTRATION IS MEASURED IN A DEVELOPER MIXTURE CONTAINING TONER AND CARRIERS, AND CORRESPONDING PRINTER OR COPIER"**

Our Case No. P05,0256 (26970-0378)

Transmittal Form 1390 in Duplicate
German Application
Translation of German Application
Three Sheets of Drawings
Replacement Drawing Sheet
Substitute Pages
Translation of Substitute Pages
Information Disclosure Statement – References – Form 1449
Preliminary Amendment
Substitute Specification
Marked Copy of Substitute Specification
\$1750.00
Postcard

Signature of person mailing application and fee


CH1\ 4063437.1